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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ROBERT JOSEPH MOSER,

15 Defendant.
16

CASE No. 1:97-CR-05130 OWW

STIPULATION TO CONTINUE
RESTITUTION HEARING DATE; AND
ORDER THEREON

DATE: September 19, 2011
TIME: 1:30 p.m.
DEPT: Courtroom 3
JUDGE: Hon. Oliver W. Wanger

17 WHEREAS the government and Defendant Robert J. Moser are in the process of
18 negotiating an appropriate restitution order; and

19 WHEREAS Mr. Moser is currently incarcerated at the Taft Correctional Institution
20 in Taft, California; and

21 WHEREAS the parties agree they would like to resolve the issue of restitution
22 without a hearing or if there is a hearing without the necessity of Mr. Moser's presence so Mr.
23 Moser does not have to be transported from Taft to Fresno; and

24 WHEREAS the parties need more time for their negotiations because counsel for
25 the government has been unavailable and counsel for Mr. Moser is limited in his ability to
26 communicate with Mr Moser;

27 THE PARTIES HEREBY STIPULATE, by and through their authorized counsel
28 that:

1. The restitution hearing in this matter be continued from Monday, September 19, 2011, at 1:30 p.m., to Monday, October 3, 2011, at 1:30 p.m., or such other date and time thereafter at the convenience of the Court.

2. The parties further agree that the requested continuance is for purpose of affording the court the opportunity to make a determination as to the amount of restitution owed by the defendant and that pursuant to 18 U.S.C. §3664 (b)(5) the parties agree to extend such time for that determination.

DATED: September 14, 2011 UNITED STATES ATTORNEY

By: /s/ Stanley A. Boone
Stanley A. Boone
Attorneys for Plaintiff

DATED: September 14, 2011

BAKER MANOCK & JENSEN, PC

By: /s/ Robert D. Wilkinson
Robert D. Wilkinson
Attorneys for Defendant ROBERT JOSEPH
MOSER

ORDER

Good cause appearing therefore, it is HEREBY ORDERED that the restitution hearing currently set for Monday, September 19, 2011, at 1:30 p.m., be continued to Monday, October 3, 2011, at 1:30 p.m. to allow the parties additional time to negotiate an agreement as to the issue of restitution. The further finds that the continuance is necessary to afford the court the opportunity to make a determination as to the amount of restitution owed by the defendant pursuant to 18 U.S.C. §3664 (b)(5).

DATED: September 16, 2011

By: /s/ OLIVER W. WANGER
OLIVER W. WANGER
Senior U.S. District Judge